

AMENDMENTS TO THE SPECIFICATION

Please amend the specification as follows:

page 10, lines 16-17:

Furthermore, blocking portion 23 does not have channels 25, 26. They are replaced by a bypass channel [[24]] 34 leading from passage 11 into chamber 27.

REMARKS

Applicant has carefully considered the Office Action, and respectfully submits that the subject application is now in condition for allowance based upon the amendments presented herein and the following remarks.

Status of Claims

The subject application was originally filed with 26 claims. In a Preliminary Amendment, Applicant cancelled claims 1-12 without prejudice. In a prior Amendment, Applicant cancelled claims 13, 20, 21, 25, and 26 without prejudice and added new claims 27-40. Claims 37-40 were later cancelled by Examiner's Amendment. In this Amendment, Applicant has amended claims 18 and 24. Upon entry of this Amendment, claims 14-19, 22-24, and 27-36 will remain pending in the subject application.

Summary of Office Action

In the Office Action dated January 29, 2009, the Examiner:

- 1) rejected claim 29 under 35 U.S.C. § 112, first paragraph;
- 2) rejected claims 24, 14-19, 22, 23, and 27-29 under 35 U.S.C. § 112, second paragraph;
- 3) rejected claims 24, 14-19, 22, 23, 27, and 29 under 35 U.S.C. § 103(a) as unpatentable over U.S. Publication No. 2003/0019525 issued to Shen ("Shen");
- 4) rejected claims 24, 14-19, 22, 23, and 27-28 under 35 U.S.C. § 103(a) as unpatentable over U.S. Patent No. 378,291 issued to Clarkson ("Clarkson"); and
- 5) allowed claims 30-36 over the prior art of record.

35 U.S.C. § 112, First Paragraph

The Examiner rejected claim 29 under 35 U.S.C. § 112, first paragraph as failing to comply with the written description requirement. Per the Examiner's suggestion, Applicant has amended page 10, line 17 by changing "bypass channel 24" to --bypass channel 34--. Applicant believes this amendment to fully comply with the Examiner's suggestion and to obviate the written description rejection. Therefore, Applicant respectfully requests that the rejection under 35 U.S.C. § 112, first paragraph be withdrawn.

35 U.S.C. § 112, Second Paragraph

The Examiner rejected claims 24, 14-19, 22, 23, and 27-29 under 35 U.S.C. § 112, second paragraph as indefinite. Per the Examiner's suggestion, Applicant has amended claim 24 to recite "a blocking portion defining a blocking portion when the blocking portion is aligned with the passage channel, and a pin portion ... defining an open position when said pin portion is aligned with the passage channel." Applicant believes this amendment to fully comply with the Examiner's suggestion and to obviate the indefiniteness rejection. Therefore, Applicant respectfully requests that the rejection under 35 U.S.C. § 112, second paragraph be withdrawn.

35 U.S.C. § 103(a) Rejection of Claims 24, 14-19, 22, 23, 27, and 29 Based on Shen

The Examiner rejected claims 24, 14-19, 22, 23, 27, and 29 under 35 U.S.C. § 103(a) as unpatentable over Shen.

Independent claim 24 has been amended to recite "an actuator for moving the load," and "a control valve fluidly connected to the actuator." These amendments are derived from claim 30, which the Examiner indicated as allowable, and the specification and drawings of the subject application. Shen fails to disclose an actuator or a control valve fluidly connected to the actuator.

Independent claim 24 has been further amended to recite at least two fluid branches that are "fluidly connected between the hydraulic pump and the control valve with each branch including at least one damper." These amendments are derived from claim 30, which the Examiner indicated as allowable, and the specification and drawings of the subject application. Shen fails to disclose these elements.

For at least these reasons, the 35 U.S.C. § 103(a) rejection with respect to independent claim 24 is unsupported by Shen and should be withdrawn. Because claims 14-19, 22, 23, 27, and 29 depend, either directly or indirectly, from independent claim 24 and incorporate by reference all of the limitations from this claim, the rejection to these claims should also be withdrawn for the same reasons.

35 U.S.C. § 103(a) Rejection of Claims 24, 14-19, 22, 23, and 27-28 Based on Clarkson

The Examiner rejected claims 24, 14-19, 22, 23, and 27-28 under 35 U.S.C. § 103(a) as unpatentable over Clarkson.

Independent claim 24 has been amended to recite “an actuator for moving the load,” and “a control valve fluidly connected to the actuator.” These amendments are derived from claim 30, which the Examiner indicated as allowable, and the specification and drawings of the subject application. Clarkson fails to disclose an actuator or a control valve fluidly connected to the actuator.

Independent claim 24 has been further amended to recite at least two fluid branches that are “fluidly connected between the hydraulic pump and the control valve with each branch including at least one damper.” These amendments are derived from claim 30, which the Examiner indicated as allowable, and the specification and drawings of the subject application. Clarkson fails to disclose these elements.

For at least these reasons, the 35 U.S.C. § 103(a) rejection with respect to independent claim 24 is unsupported by Clarkson and should be withdrawn. Because claims 14-19, 22, 23, and 27-28 depend, either directly or indirectly, from independent claim 24 and incorporate by reference all of the limitations from this claim, the rejection to these claims should also be withdrawn for the same reasons.